

REMARKS

Claims 1-43 are pending. An Office Action mailed March 8, 2005 rejected Claims 9-13 under 35 U.S.C. § 112, Claims 1, 2-6, 9, 10, 14, 15, 36 and 38-42 under 35 U.S.C. § 102 and Claims 7, 8, 11-13, 16-35, 37 and 43 under 35 U.S.C. § 103. By way of this Amendment, Applicants hereby cancel Claims 1-30 and 38-43, amends Claim 37 and adds new Claims 44-47. Pursuant to 37 C.F.R. § 1.111, Applicants respectfully request reconsideration of the application.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 112

The Office Action rejected Claims 9-13 under 35 U.S.C. § 112, second paragraph.

Applicants hereby cancel Claims 9-13, thereby rendering this rejection moot.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

The Office Action rejected Claims 1, 2-6, 9, 10, 14, 15, 36, and 38-42 as being anticipated by U.S. Patent No. 5,530,909 to Simon et al. (hereinafter Simon). Applicants have cancelled Claims 1, 2-6, 9, 10, 14, 15, and 38-42 thereby rendering this rejection moot. Claim 36 will be addressed with regard to its independent claim.

REJECTION OF CLAIMS 21, 27-28, 31, 34, AND 35 UNDER 35 U.S.C. § 103

The Office Action rejected Claims 21, 27-29, 31, 34, and 35 as being unpatentable over Simon. With regard to independent Claims 31 and 34, Applicants respectfully traverse this rejection.

Applicants submit that the request message as recited in independent Claims 31 and 34 is different than the data message that is eventually routed between the source and destination nodes of Simon. Applicants submit that Simon discloses a circuit is established by the actual transmission of the message between nodes (Claim 1). Thus, Applicants submit that Simon fails to teach or suggest that a circuit is established for routing a data message between a source node and a destination node in accordance with a previously sent request message. Therefore, Applicants submit that independent Claims 31 and 34 are allowable over the cited references. Because Claim 45 includes limitations similar to that of independent Claims 31 and 34,

independent Claim 45 is allowable for the same reasons that make Claims 31 and 34 allowable. Because Claims 35, 46 and 47 depend from allowable independent claims, they are allowable for the same reasons that make their corresponding independent claims allowable.

REJECTION OF CLAIMS 7, 8, 11-13, 16, 18, 19 AND 43 UNDER 35 U.S.C. § 103

The Office Action rejected Claims 7, 8, 11-13, 16, 18, 19 and 43 as being unpatentable over Simon and further in view of Lai. Applicants hereby cancel the above-identified claims thereby rendering this rejection moot.

REJECTION OF CLAIMS 17, 20, 22-26, 30, 32-34, AND 37 UNDER 35 U.S.C. § 103

The Office Action rejected Claims 17, 20, 22-26, 30, 32-34 and 37 as being unpatentable over Simon in view of Koike. Applicants have cancelled Claims 17, 20, 22-26, and 30, thereby rendering this rejection moot for those claims. With regard to Claims 32-34 and 37, Applicants respectfully traverse this rejection.

Applicants submit that Koike fails to overcome the deficiencies noted above for Simon. Therefore, independent Claim 34 and dependent Claims 32, 33, 36 and 37 are allowable over the cited references.

CONCLUSION

Applicants respectfully submit that all of the claims of the pending application are now in condition for allowance over the cited references. Accordingly, Applicants respectfully request withdrawal of the rejections, allowance, and early passage through issuance. If the Examiner has any questions, the Examiner is invited to contact the Applicants' agent listed below.

Respectfully submitted,

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MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

5/26/05

Date of Deposit


Michelle J. Carman